IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTEENTH DAY OF MAY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 11324 of 2005

Between:

G. Pedda Kanthamma, W/o. G. Sunder Reddy
H.No. 20-6-13, Bapunagar, Palvancha, Khammam District.

..... PETITIONER

AND

1 The District Collector, Khammam, Khammam District.
2 The Station House Officer, Palvancha Rural Police Station,

Palvancha, Khammam District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue of writ of Mandamus or any other appropriate writ declaring the action of respondent No.2 in not granting police protection to petitioner for removing the trees and bushes in the land belong to the petitioner situated in Sy.No. 128 of Pandurangapuram VIllage, Palvancha Mandal, Khammam District, inspite of permission granted by the respondent No.1 in proceedings D.Dis.No,. E1/1851/2004, dt. 8-4-2005 and consequently direct the respondent No.2 to grant necessary protection to the petitioner as mentioned above in the interests of justice.

Counsel for the Petitioner: MR.A.RAJASEKHAR REDDY

Counsel for the Respondents: GP FOR HOME

The Court made the following :

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ORDER:

Heard the learned counsel for the petitioner as well as the learned Government Pleader for Home.

Admittedly, the 1st respondent-District Collector, Khammam, passed orders through proceedings D.Dis.No.E1/1851/2004, dated 08-04-2005, permitting 13 patta holders to cut the tree growth in their lands situated at Pandurangapuram Village, Palvancha Mandal, Khammam District, subject to the conditions that the process of cutting to be done under supervision of the Forest Department i.e., Divisional Forest Officer, Palvancha; that the prohibited trees exist, if any, shall not be felled; that the entire process of cutting etc., to be completed within a period of one year; and that the Divisional Forest Officer, Palvancha, shall take action to issue permits as per the rules in force. It is stated that though the patta holders are inclined to comply all the said orders and wanted to cut the permitted trees only, due to the reason behind their control, they are not permitted to remove the trees. Having regard to the facts and circumstances of the case, the respondents as well as the Divisional Forest Officer, Palvancha, are directed to implement the orders of the 1st respondent-District Collector, Khammam, dated 08-04-2005, permitting the petitioner and other patta holders to cut the tree growth in their patta lands. The writ petition is accordingly disposed of. No order as to costs.

17-05-2005

Note: Furnish C.C. in two days.

(B/o) GJ/NN

To

1 The District Collector, Khammam, Khammam District.
2 The Station House Officer, Palvancha Rural Police Station,

Palvancha, Khammam District.

3 Two CCs to the G.P for Home, High Court of A.P., Hyderabad(O.U.T)

4 2 CD copies